App. F. IX-4

1948-49
(CB)

File No. 5966

Serial Nos. 1, 2

Previous References.

S & A 19-46-1, 2, 3, 4, 5

Later References.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. ~~00~~ 2

Part B for July. 49

SUBJECT

Representation of Rajadharmaprasadha Seri S. Venkatarangam Iyengar Retired High Court Judge for enhanced Pension Rs. 600/- p.m.

No 6907 CB
691/CD
To

15. 7. 49

The Comptroller to Govt
The Registrar, High Court
Fort, Madras.

Son 11/10

WD 06035—GPB—1,000—20-6-49

Serial No.

Submitted

On his representation dated 2.5.49 Sri. Venkatavaraga Iyengar has stated that he has put in qualifying service of nearly 37 years and that he has served the judicial Dept for over a period of 32 years at a stretch without taking any leave except p.l. for a few days and that he has done honorary work as chairman of the Hindu Law Reform Committee appointed by the govt in addition to his duties as a Judge of the H.C. while in service and even after his retirement. On these facts, he prays that his case may be treated as a special one and that he may be granted a pension of Rs 600/- p.m. as a special case.

The Registrar of the H.C has recommended that Sri. Venkatavaraga Iyengar may be granted an enhanced pension in recognition of the following points :—

(i) his long and meritorious service of Rajadharmapravakta Sri. S. Venkatavaraga Iyengar as a judicial officer without availing himself of any leave.

NOTE—Contn. Sheet

Representation of Shri S. V[illegible] Iyengar,

File No. Retd. Judge H.C. Pay enhancement of 19[illegible] | General and Revenue Secretariat

Serial No.

(ii) his good work as Chairman of the H.L.R. Committee for over 3 years in addition to his work in the H.C.

In this connection it is submitted that Rajadharmaprasakta Shri A.R. Nageswara Iyer and Rajadharmaprasakta Shri C. Subrahmanya Iyer were given a special allowance of Rs 300/- and Rs 500/- p.m. (vide extract from Gazette Register) respectively, for serving as members of the Vidhyaswaltha Disturbances Enquiry Committee and the latter for his work connected with the Retrocession of the Civil & Military Stations and they were not granted any enhanced pension as a special case. ~~on account of his extra ho~~

P

It is invited to Art 320 (c) of M.S.R which states as follows:—

(c) the maximum limit of a pension of half average emoluments for officers (Chief Justice of the H.C. Ministers and others specified in appendix A) shall be Rs 6000 p.m.

In the case of the Chief Justice of the H.C. and the Ministers, the rate of pension will be Rs 600/p.m. provided the following conditions are complied with: —

(i) 30 years of qualifying service.

(ii) 3 years service as Ch. Justice or as a Minister; and

(iii) proof of special energy and efficiency while holding office of Ch. Justice or of a Minister.

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5 para 6 of the annexure to G.O. No. Ft. 1142-4/Sdp 19-46-3 dated 3.8.1946 states that notwithstanding anything contained in these rules, Govt. may, in special cases and under special circumstances grant such pension as they deem fit.

The prayer of Sri. Venkatarangu Iyengar for the grant of an enhanced pension at the rate of Rs 600/ p.m. is not admissible under Art 320 M.S.R.

Under the circumstances the prayer of Sri. Venkatarangu Iyengar for the grant of an enhanced pension at the rate of Rs 600/ p.m. as a special case is for orders.

12/7/49. 8 This is a request for the grant of a special pension of Rs. 600/- p.m. against the ordinary pension of Rs. 500/- p.m. admissible as per rules. The request, if granted, would require financial concurrence and would be Council matter.

9 Meanwhile, as the consideration of this request may take some time, the pension papers received with the letter of the High Court may perhaps be forwarded to the Comptroller to Govt. for necessary action regarding the payment of the ordinary pension admissible as per existing orders - with the intimation that the Officer's request for an enhanced pension is under consideration separately.

.7.49. 10 The pension papers of Sri Venkatarangu Iyengar may

Representation of Sri S. Venkataranga Iyengar Retired Judge High court for enhanced pension.

File No. 6622/CB of 1948

General and Revenue Secretariat

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be sent to the comptroller to Govt in the first instance for further action and the question of enhanced pension examined separately.

Law Secy / Chief Secy — scmR 12/7/49

11 — 13/7

12. Early. It is already a month old. scmR 13/7/49

14/7 scmR 13/7/49

Subst.

13 Draft and fair letter to the comptroller put up for signature.

15/7/49

14 Issue + put up

15.7.49 scmR 13/7/49

Issued no. 690/C.B. dated 15-7-49 to the comptroller to Govt forwarding the pension application of Sri. S. Venkataranga Iyengar.

Memo. No. 691/C.B., dated 15-7-49 forwarding a copy to the Registrar, H.C.

15. Resubmitted as per instructions in para 14 supra.

16/7/49. 16 Extract from the file Reg. No. 180-37/07 relating to the payment of allowance to Sri Nageshwara Iyer and

16.7.49 17 Extract from the file Registry relating to the payment of honorarium to Sri. C. Subramanya Iyer and Sri. V. Vedavyasachary for the work in connection with retrenchment of civil station establishment as per instructions.

16/7/49 17.7.49

Representation of Sri. S. Venkatarangaa Iyengar, Retd Judge H.C. for enhanced [illegible]

General and Revenue Secretariat | File No. 6622 of 19 | WD 06035—GPB—1,000—20-6-49

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18 Rajadharmaprasakta Sri S. Venkata-Ranga Iyengar, Retired Judge, High Court of Mysore, who has put in a qualifying service of nearly 37 years is entitled to a pension of Rs 500 p.m. He has now asked for a special pension of Rs 600 p.m, which is not admissible under the ordinary rules.

(19) The reasons put ~~in~~ forward for showing him this consideration are the following:-

(1) Long and meritorious service as a judicial officer without availing himself of any long leave;

(2) His good work as Chairman of the Hindu Law Reform Committee for over three years in addition to his work in the High Court,

20) Re (1) it may be ~~observed~~ said that ~~many~~ there may be several officers of this category and this cannot be taken as a ground for showing any special consideration to an officer.

21) Re (2). Sri Venkataranga Iyengar was not given any remuneration for having worked as Chairman of the Hindu Law Reform committee. On a previous occasion when Rajadharma-prasakta Sri R. Nageswara Iyer was appointed as a member of the Committee to enquire into the disturbances at Vidurashwatha

NOTE—Contn. Sheet

Serial No.

the was paid an allowance of Rs 300/- p.m. for the period from 6-5-38 to 9-6-38 and again from 11-10-38 to the close of the term of the Court (29-10-38) for the period he worked as a Judge of the High Court in addition to the work on the disturbances enquiry committee. (vide Flag H) The High Court ~~during~~ has also quoted in the instance of Sri C. Subramanya Iyer, who was granted an allowance of Rs 500/- p.m. for the work connected with the retrocession of the Civil and Military Station, Bangalore. Sri Subramanya Iyer had retired from service, when this special work was entrusted to him. His case does not appear to be similar to that of Sri Venkataranga Iyengar. It is only the case of Sri Nagarwara Iyer which is similar to that of Sri Venkataranga Iyengar.

22) Sri Venkataranga Iyengar held the post of chairman of the Committee from July 1945 to end of April 1949, in addition to his duties as the High Court. For extra duties devolved on him, as this account, it appears reasonable to grant an allowance, ~~under~~ ~~~~ for the honorary work done cannot perhaps

Serial No.

perhaps be made a ground for grant of higher pension.

23) The request of Sri Venkataranga Iyengar, if granted, would require financial concurrence and would be Council matter.

Law Secy)
& Chief Secy)

28/7/49

Dewan
through Fin Secy)

28/7/49

30/7/49

A. It does not seem possible or desirable to give a special pension of Rs 600/-, which is allowed only to certain specified classes of officers, merely on the ground of a long service. If considered feasible however, a special lumpsum amount may be raised as an ex gratia honorarium for the work done as Chairman of the Hindu Law Reform Committee.

B.

A. I agree.

30/7

B. If as stated the work of the Chairman Hindu Law Reform Committee was honorary, the question of any remuneration therefor does not arise.

30/7/49

1.8.49.

2/8

The question of an honorarium was considered and decided by the

SECRETARIAT DEPARTMENT 810 28 JUL 1949 GOVT. OF MYSORE

GENERAL & REVENUE SECRETARIAT 29.7.49 CONFIDENTIAL BRANCH

CHIEF SECRETARY 802 30 JUL 1949 GOVT. OF MYSORE

GENERAL REVENUE SECRETARIAT U.O. 1123 1ST AUG 1949 BANGALORE

CHIEF SECRETARY 883 2 AUG 1949 GOVT. OF MYSORE

Representation of Rajadharma prasakta Sri Venkatapanga Iyengar High court Judge (Retired) for enhances pension.

File No. 6622/CB of 1948.

General and Revenue Secretariat

Serial No.

Office of the Chief Minister

No. C-123

Date of Receipt 4-8-49

Date of Return 9/8

Council on 2-8-49. [illegible]

Chief Min
Dewan

MS
3/8
DSMR
3/8/49

what more is there to be done?
No file may be closed.

Rao
8/8/49

MS
10/8
DSMR
10/8/49

CHIEF SECRETARY
1098
9 AUG 1949
GOVT. OF MYSORE

Sr. ms. 6622
CB

R. O. C. No. 1129
Dis. 4829.
Secr one file (PP1-6)

HIGH COURT OF MYSORE,
Public Office Buildings, Cubbon Park,

Bangalore...6th June.....*194*9.
7

FROM

SRI J. RUDRAPPA, M.A., LL.B.,
Registrar, High Court of Mysore.

To

Sri K. Srinivasan, B.Sc.,
Chief Secretary to Government,
B A N G A L O R E.

CHIEF SECRETARY
7 JUN 1949
GOVT. OF MYSORE

SIR,

In forwarding herewith the pension papers, along with the representation, of Rajadharmaprasakta Sri S. Venkata Ranga Iyengar, Retired Judge, High Court of Mysore, Bangalore, for the grant of pension at Rs.600/- per month, I am directed to state that he was appointed as Chairman of the Hindu Law Reform Committee constituted by the Government in July 1945 and he completed the report by the end of April 1949. In addition to his duties as a Judge of the High Court, he served on the Committee till 19-5-1948 when he was granted privilege leave of 12 months and 5 days preparatory to retirement, and even after his retirement he continued his work on the Committee for a period of about a year.

I am directed to bring to the notice of the Government the following points in favour of the prayer for enhanced pension - (1) the long and meritorious service of Rajadharma-prasakta Sri S. Venkata Ranga Iyengar as a Judicial Officer without availing himself of any long leave; and (2) his good work as Chairman of the Hindu Law Reform Committee for over three years in addition to his work in the High Court. In this connection, I am directed to bring to the kind considerat

of the Government the practice that whenever the Judges of the High Court were called upon to undertake special duties, they were awarded special allowances in addition to their pay even though they, unlike Rajadharmaprasakta Sri S.Venkata Ranga Iyengar, did not and were not required to work in the High Court. (Rajadharmaprasakta Sri A.R. Nagesvara Iyer and Rajadharmaprasakta Sri C.Subramanya Iyer were given a special allowance of Rs.300/- and Rs.500/- per month respectively, the former for being a member of the Viduraswatha Disturbances Enquiry Committee and the latter for the work connected with the Retrocession of the Civil and Military Station)

The request for the grant of an enhanced pension appears to be no more than a request for the recognition and grant of a just claim for a lumpsum payment of a special allowance for special work done, in the form of extra pension spread over a period of a few years. The request seems reasonable and merits favourable consideration.

I am to add that it is within the discretion of the Government as per Clause (6) of the Annexure to the Special Rules relating to pension to the Judges of the High Court contained in G.O.No.Fl:1142-4-3 & A. 19-46-3, dated 3rd August 1946, to grant an enhanced pension.

Yours faithfully,

J. Rudrappa

Registrar.

Representation of the applicant as regards his prayer for the grant of pension at Rs.600/- per month.

=====

The applicant has put in qualifying service of nearly 37 years. After he was appointed as a gazetted officer in the Judicial Department in 1917 he served for over a period of 30 years at a stretch without taking any leave, except privilege leave for a few days, until he attained the age of superannuation when all the leave that was at his credit including 6 months furlough on full average salary lapsed. Privilege leave of 2 months and 5 days granted to him preparatory to retirement was earned by him by working during vacations after the age of superannuation. The applicant has done honorary work as Chairman of the Hindu Law Reform Committee appointed by the Government in addition to his duties as a Judge of the High Court while in service and even after his retirement. The unanimous report of the Committee was signed on 29th April 1949 by all the Members except Justice Sri N.Balakrishnaiya who could not attend the meeting that day as he has availed himself of the summer vacation and has gone out of the station. He has, however, expressed his agreement to the Report. A copy of the Report has been sent to him for signature and after it is received duly signed by him the Report will be submitted to Government in a few days.

In view of the long and strenuous service put in by the applicant as a Judicial Officer without taking any leave and particularly having regard to the special work done by him as the Chairman of the Hindu Law Reform Committee, the applicant prays that the Government may be pleased to kindly treat his case

as a special one and grant him pension at Rs.600/- per month. In this connection the applicant wishes to invite kind reference of the Government to Clause (6) of the Annexure to the Special Rules relating to pension to the Judges of the High Court contained in Government Order No.Fl.1142-4-S and A.19-46-3 dated 3rd August 1946, according to which notwithstanding anything contained in those rules Government may in special cases and under special circumstances grant such pension as they deem fit.

S. Venkata Ranga Ayyangar

2.5.1949

690/C.H.
Final pen applm.

15th July 9
Camp Mysore

The Comptroller to the Government of His Highness
the Maharaja of Mysore, BANGALORE.

I am directed to forward herewith the pension application of Rajadharmaprasakta Sri S.Venkata Ranga Iyengar, Retired Judge, High Court of Mysore, for necessary action. I am to state that the officer's request for an enhanced pension is under consideration separately.

Yours faithfully,

(Sd) K. Srinivasan,

Chief Secretary to Government.

691/C.H. 15-7-49.

Copy forwarded with compliments, to the Registrar, High Court of Mysore, Bangalore, for information, with reference to his letter No.1129/48-49 dated 7th June 1949.

for Chief Secretary to Government.

Extract from the File Register for the year 1937-38 regarding appointment of a Committee to enquire into the disturbances at Vidurashwatha and other arrangements.

G.O.No. 1428-30/CB 180-37 -107 dated 2-11-1938 to the Comptroller to the Govt. through Financial Department.

Directs that Sri Justice Nageshwara Iyer be paid an allowance of Rs.300/- per mensem for the period namely, from 6-5-1938 to 9-6-1938 and again from 11-10-1938 until the close of the term of the court (29-10-1938) He worked as a Judge of the High Court in addition to the work on the disturbances enquiry committee.

K.L. Nagamma.

28/7/49.

Extract from the File Register re: the payment of honorarium to Rajadharmaprasakta Sri. C. Subramanya Iyer, Retd Judge H.C. and to Sri. V. Vedavyasachariya Chief Secy to Govt in connection with the ~~work of~~ Retrocession works of C.d.N. Station.

File No. 103-47-1.

Direct the payment of an honorarium at the rate of Rs 500/- to Rajadharmaprasakta Sri. C. Subramanya Iyer, Retired Judge H.C. of Mysore, for the period from 1.5.46 to 30.9.47 for having attended to the work connected with retrocession of the civil station.

Also direct that Sri. V. Vedavyasachariya, Chief Secy to Govt be given an honorarium of Rs 2000/- in view of the considerable service in connection with the same work.

Sd. Nirgunan.